

REMARKS

The Applicants appreciate the Examiner's thorough examination of the subject application and the indication that claims 54-56, 58, 61, 63-68, 70, and 71, if rewritten in independent format, would be in a condition for allowance. Applicants request reconsideration of the subject application based on the following remarks.

Claims 1-3 and 5 are currently pending in the application. Claims 1, 2, and 5 have been amended and claim 4 has been cancelled. Support for the amendments can be found throughout the specification as filed. No new matter has been introduced by the instant amendments.

Claims 1-3 were rejected under 35 U.S.C. §102(b) as being allegedly anticipated by Yamanaka (U.S. Patent 5,176,916).

Claims 1-3 and 5 were rejected under 35 U.S.C. §102(b) as being allegedly anticipated by Oda (U.S. Patent 5,725,874).

Claims 1-3 and 5 were rejected under 35 U.S.C. §102(b) as being allegedly anticipated by Hirano (JP 11001441).

Although Applicants respectfully disagree with the position taken by the Examiner, in the interest of expediting prosecution, the language of claim 4 has been incorporated into claim 1. Thus, claim 1 is patentable over Yamanaka, Oda, and/or Hirano (JP 11001441) taken separately or in combination. Claims 2, 3, and 5 depend from claim 1 and are therefore also patentable over Yamanaka, Oda, and/or Hirano (JP 11001441) taken separately or in combination.

Claims 1-3 and 5 were rejected under 35 U.S.C. §102(a) as being allegedly anticipated by Hirano (EP 0 976 405).

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hirano (EP 0 976 405).

The prior art rejections are addressed in combination. Each of the rejections is traversed.

It is submitted that the rejection in view of EP 0 976 405 should be withdrawn on the basis of the present application's priority date of July 1, 1999. In particular, as noted in Applicants' Declaration and Oath filed on May 15, 2002, the present application claims priority to JP 11-187415 (filed July 1, 1999) and PCT/JP00/04361 (filed June 30, 2000). Whereas, the cited reference EP 0 976 405 has a publication date of February 2, 2000.

In accordance with 37 CFR §1.55, Applicant submits herewith a verified translation of the priority document, Japanese Patent Application No. JP 11-187415. Such translation is attached hereto as Exhibit A.

The present application is clearly supported by the priority document, as evidenced by the translation of JP 11-187415. As such, the cited reference EP 0 976 405 is overcome.

Withdrawal of each of the §102 and §103 rejections is respectfully requested.


It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

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Respectfully submitted,

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John B. Alexander (Reg. No. 48,399)
EDWARDS & ANGELL, LLP
P. O. Box 55874
Boston, MA 02205
Tel: (617) 439-4444
Fax: (617) 439-4170 / 7748